

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 03-30298 - MAP

JAMES TULGAN,

Plaintiff

V

BERKSHIRE ARMORED CAR,
SERVICES CO., INC. PROFIT SHARING
PLAN, BERKSHIRE ARMORED CAR
SERVICES CO., INC., GERARD S.
REDER AND JACQUELINE POWERS,
Defendants

DEFENDANT'S MOTION
TO CONTINUE AND
RESCHEDULE INITIAL
SCHEDULING CONFERENCE

NOW comes Counsel for the Defendants, Berkshire Armored Car, Services Co., Inc. Profit Sharing Plan, and Gerard S. Reder in the above-entitled matter and respectfully moves this Honorable Court to CONTINUE and RESCHEDULE the hearing on the Initial Scheduling Conference set for December 8, 2004 at 10:30 a.m. in Springfield. For reasons, Counsel for the Defendants Berkshire Armored Car, Services Co., Inc. Profit Sharing Plan, Berkshire Armored Car Services Co., Inc., and Gerard S. Reder states that he has been subpoenaed as a witness in a criminal matter which is scheduled to be heard at the United States District Court in Boston beginning on Monday, December 6, 2004, but is expected to take approximately two weeks to complete. Counsel is required to attend same, every day, until completion. A copy of the subpoena is attached hereto and marked Exhibit "A".

WHEREFORE, Counsel for the Defendants respectfully requests this Honorable Court to CONTINUE and RESCHEDULE the Initial Scheduling Conference to a date after December 20, 2004.

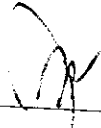
Respectfully submitted,
Berkshire Armored Car, Services Co., Inc.,
Profit Sharing Plan, Berkshire Armored Car
Services Co., Inc., and Gerard S. Reder
By their Attorney:

Date: December 1, 2004

Jack E. Houghton, Jr.
78 Bartlett Avenue
Pittsfield, MA 01201
(413) 447-7385
B.B.O. # 241040

RULE 7.01 (A) (3) CERTIFICATION

I, Jack E. Houghton, Jr., counsel for the Defendants, Berkshire Armored Car, Services Co., Inc., Profit Sharing Plan, Berkshire Armored Car Services Co., Inc., and Gerard S. Reder on oath depose and say that, pursuant to Rule 7.1 (A) (3) of the Local Rules of the United States, District Court for the District of Massachusetts, do hereby certify that, previous to the filing of this motion, I attempted in good faith to resolve this Motion To Continue And For Rescheduling Of The Initial Scheduling Conference, by forwarding a copy of same, together with a letter, to Robert L. Leonard, Esq. of Doherty Wallace Pillsbury & Murphy, One Monarch Place, Suite 1900, Springfield, MA 01144-1900, Attorney for the Plaintiff, requesting that he assent to the motion on the grounds that I was unavailable to attend the initial scheduling conference set for December 8, 2004. For whatever reason, Attorney Leonard refused and/or neglected to agree to same; hence, my need to file this Motion with the District Court.



Jack E. Houghton, Jr.

CERTIFICATE OF SERVICE

I, Jack E. Houghton, Jr. hereby certify that I have on this 1st day of December, 2004, served the within Defendants' Motion To Continue And Reschedule Initial Scheduling Conference, by mailing same to Robert L. Leonard, Esq., Doherty Wallace Pillsbury and Murphy, One Monarch Place, Suite 1900, Springfield, MA 01144 , and Jacqueline Powers, 60 Kenwood Avenue, Pittsfield, MA 01201 by first class mail, postage prepaid.



Jack E. Houghton, Jr.

U.S. ATTORNEY OFFICE ECONOMIC CRIMES UNIT

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T-900 P.003/003 F-087

UNITED STATES DISTRICT COURT

DISTRICT OF

MASSACHUSETTS

UNITED STATES OF AMERICA

V.
JOHN CHOQUETTE, JR.,

SUBPOENA IN A
CRIMINAL CASE

Case Number: 03-40027-NMG

TO: Jack E. Houghton, Jr., Esq.

☒ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below, or any subsequent place, date and time set by the court, to testify in the above referenced case. This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

PLACE
United States District Court
John Joseph Moakley United States Courthouse
1 Courthouse Way, Suite 9200
Boston, MA 02210

COURTROOM
No. 4, 3rd Floor
Judge Gorton's Session
DATE AND TIME
Monday, December 6, 2004
9:00 a.m.

☐ YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):

Witness travel & reimbursement instruction are attached. Call Witness Coordinator, Amy Jones at (617) 748-3153, if you have any questions. For after business hour emergencies, call (617) 748-3100.
(SEE ADDITION ON REVERSE SIDE)

MAGISTRATE, JUDGE OR CLERK OF COURT

Deputy Clerk

A. J. Sullivan

ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER
MICHAEL J. SULLIVAN
UNITED STATES ATTORNEY



November 3, 2004

MARK J. BALTHAZARD
Assistant U.S. Attorney
1 Courthouse Way, Suite 9200
Boston, MA 02210 Tel: (617) 748-3208

AO 456 (Rev. 5/85) Notice

UNITED STATES DISTRICT COURT

JAMES TULGAN

DISTRICT OF MASSACHUSETTS

V.

NOTICE

BERKSHIRE ARMORED CAR SVCS.

CASE NUMBER: 03-30298-MAP

TYPE OF CASE:

☒ CIVIL

☐ CRIMINAL

☐ TAKE NOTICE that a proceeding in this case has been set for the place, date, and time set forth below:

PLACE

1550 Main Street
Springfield, Massachusetts 01103

ROOM NO.

Courtroom Three

DATE AND TIME

TYPE OF PROCEEDING

INITIAL SCHEDULING CONFERENCE

☒ TAKE NOTICE that a proceeding in this case has been continued as indicated below:

PLACE

Courtroom Three

DATE AND TIME PREVIOUSLY
SCHEDULED

December 2, 2004 at 11:30 a.m.

CONTINUED TO DATE
AND TIME

December 8, 2004, at 10:30 a.m.

WILLIAM RUANE

U.S. MAGISTRATE JUDGE OR CLERK OF COURT

November 22, 2004
DATE

TO: ALL COUNSEL OF RECORD

/s/ Bethaney A. Healy
(BY) DEPUTY CLERK